

## **REMARKS/ARGUMENTS**

The applicant's attorney would like to thank the Examiner and Examiner's Supervisor for their time during the telephone interview of June 15, 2004. Wang and Suzuki were discussed in relationship to the claims, as discussed below. No agreement was reached.

Claims 6 and 7 have been amended. Claims 21-23 have been added. Claims 1-23 are pending.

The Examiner objected to the abstract of the disclosure stating that the abstract is not in the correct format as listed above, since the abstract is listed in three paragraphs instead of one. The abstract has been amended accordingly.

The Examiner objected to claim 7. Claim 7 has been amended accordingly.

The Examiner rejected claims 1-20 under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (USPN 5,802,361, hereinafter "Wang") in view of Suzuki et al. (USPN 5,883,672, hereinafter Suzuki).

Regarding claims 1, 11, 17, and 19, the Examiner stated that the edit track is the side information file of Wang. The side information file of Wang is not the edit track as recited in independent claims 1, 11, and 17. Col. 7, lines 37 to 42, of Wang states that an image search application 119 has a low level analyzer that analyzes images and creates a side information file 115 that contains image data extracted from the images. Page 6, lines 5-13, of the application states that each editing step of video data creates data stored in an edit track, which records the editing step. More generally, the edit track is created by video editing software to record the edit steps. Wang does not teach or suggest that the side information file 115 is used to record edit steps or created by video editing software. Instead, the side information file is created by image analyzer for searching images. Therefore, Wang does not teach or suggest an edit track, but instead a side information file 115 which has data from an image analyzer.

In the same way, Suzuki does not teach or suggest an edit track. The Examiner cited Fig. 6 of Suzuki stating that edit tracks are picture information and scene change information, which are inputs to the compression method selection circuit and the following compression techniques. Figure 6 of Suzuki teaches a picture information evaluation circuit and a scene change detector to provide picture information and scene change information. Therefore, Suzuki uses detectors

to detect picture information and scene change information, instead of using an edit track which has edit information, as discussed above. Both Suzuki and Wang teach the use of information from an image analyzer or detector not edit data in an edit track provided by editing software. Therefore, Suzuki does not remedy the deficiency of Wang, since Suzuki also fails to teach or suggest an edit track with edit information, as recited in the independent claims.

In addition, since Wang and Suzuki do not teach or suggest an edit track, Wang and Suzuki separately or in combination do not teach or suggest the use of information in an edit track to compress video data. For at least these reasons, claims 1, 11, 17, and 19 are not made obvious by Wang in view of Suzuki.

Dependent claims 2-10, 12-16, and 18-20 are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claims, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references.

For example, claims 2 and 12 further recite that the computer readable code uses information in the edit track to determine the bit resolution of quantization for a region defined within the edit track. The Examiner cited col. 21, lines 54-67-col. 22, lines 1-15 and Fig. 10 of Wang as teaching this. Col. 21, lines 54-67-col. 2, lines 1-15 of Wang states that FIG. 10 shows a flowchart of one embodiment of the analysis 209 function of the high level analyzer 123 and that this analysis 209 begins after the high level analyzer 123 has parsed 207 the search inquiry and determined the order evaluating the image attributes and side information file 115. This analysis is for a search of images not for compression of an image as recited in the claims. Nothing in Wang or Suzuki teaches or suggests using an edit track to determine bit resolution of quantization for a region defined within the edit track for compressing the video.

In addition, claims 6, 7, and 16 further recite creating a video track of edited video data and computer readable code for creating at least one edit object in the edit track, wherein the edit object defines a region that has been edited and a type of edit. The Examiner stated that the creating a track of edited video data is shown in FIG. 5h of Wang and that creating at least one object in the edit track is disclosed in Wang, col. 16, lines 53-65, where the object is a rectangle. Col. 14, lines 34-35, of Wang states that FIGS. 5 through 9 show an embodiment of a graphic user interface for constructing a search inquiry. Therefore FIG. 5h of Wang and FIG. 5i and 5b, discussed in col. 16, lines 53-65, of Wang, cited by the Examiner do not teach a video editing tool or an edit track, but a tool for generating a search request. In addition, col. 16, lines 32-46,

of Wang describes FIG. 5h as a way of adding or modifying a bookmark to indicate locations in a "video sequence to be edited." The bookmark does not edit the video sequence but merely marks locations "to be edited."

In addition, claims 6 and 7 have been amended to further recite computer readable code to allow a user to edit video data to provide video effects and that the edited video data records editing steps by the user. Such video editing software for allowing the user to edit video data to provide video effects and that the video data records editing steps by the user are not disclosed by Wang and Suzuki.

In addition, claim 8 further recites computer readable code for using text information in the edit track to increase bit resolution of quantization of a pixel block. The Examiner again referred to FIG. 5h, and col. 16, lines 32-46, of Wang as disclosing this. FIG. 5h and col. 16, lines 32-46, of Wang do not teach an edit track and do not teach using text to increase the bit resolution. The Examiner states that each pixel now contains more information. The applicant's attorney could not find anything in the cited text that teaches that each pixel not contains more information. Page 7, line 31, to page 8, line 2, of the application, states that the compression software may access the edit track to determine the number of bits that should be used for quantization, which is the number of bits that are allocated to represent this part of the compressed image. In addition, page 9, line 28, to page 10, line 10, of the application states that bit resolution for pixel blocks with text is increased to improve the resolution of the text. The Examiner stated that Wang does not explicitly disclose using the track during compression. It would not be obvious under Wang in view of Suzuki to use text information in the edit track from a video edit program to increase bit resolution quantization.

In addition, claim 9 further recites using blend information in the edit track to decrease bit resolution of quantization of a pixel block. The Examiner cites Fig. 5d. As discussed above, Fig. 5d relates to a user interface for defining a search not editing video or video compression.

In addition, claim 10 further recites wherein the edit track specifies a region within which a video edit has occurred and the type of edit that occurred within the region. The Examiner cited FIG. 3 and 9 of Wang as teaching this, where the frame difference, scene change, and segment determine the region and the color histogram and texture determine the type of edit. Col. 9, lines 10-18, of Wang states that FIG. 3 shows the operation of a low level analyzer 121 to create the side information files 115. The frame difference, scene change, and segment determination do not indicate regions where editing has occurred. Nothing in the text discloses

that these are regions where editing has occurred. Col. 19, lines 22 to 32, of Wang states that the text in FIG. 9 is for a search inquiry. It is not information to describe a type of edit, but instead a text form of a search being prepared to search images. For at least these reasons, claims 2-10, 12-16, and 18-20 are not anticipated or made obvious by Wang in view of Suzuki.

New claims 21-23 further recite that the edit track records editing steps made by a user using video editing software. This is supported by page 6, lines 5-16, of the application. As discussed during the telephone interview, the cited references do not provide an edit track that records editing steps made by a user using video editing software.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at telephone number (650) 961-8300.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "Michael Lee", with a stylized, flowing script.

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